SUBJECT INDEX

(a) after a reference indicates an article; (c) correspondence; (e) essay; (n) note; (r) book review.

ACCOMPLICES

Question of Intent: Aiding and Abetting Law and the Rule of Accomplice Liability Under § 924(c), A — *Tyler B. Robinson* (n) 783-310

ADMINISTRATION OF CRIMINAL JUSTICE

See *Criminal Law.*

ADMINISTRATIVE LAW

See *Public Choice Theory.*

AIDS (DISEASE)

See *Health.*

ARBITRATION, LABOR

Arbitration: Time Limits and Continuing Violations — *Richard I. Bloch* (e)2384-98

BANKRUPTCY

Political Economy of the Bankruptcy Reform Act of 1978, The — *Eric A. Posner* (a) 47-126

BANKRUPTCY ADMINISTRATION

See *Bankruptcy.*

BIOGRAPHY

See also *History, Legal History.*

Character, Conscience, and Destiny — *G. Gordon Liddy* (r) 1975-79

CAPITAL PUNISHMENT

See *Punishment.*

CAUSATION IN FACT

See *Torts.*

COLLATERAL ESTOPPEL

See *Jurisdiction.*

COLLECTION AGENCIES

See *Commercial Law.*

COMMERCIAL LAW

Strategy and Force in the Liquidation of Secured Debt — *Ronald J. Mann* (a) 159-244

COMPARATIVE LAW

See *Evidence.*

COMPARATIVE LAW/ CONSTITUTIONAL LAW

See *Political Science.*

CONFLICT OF LAWS

See *Jurisdiction.*

CONSTITUTION

How Serious is the Threat of Impeachment? And to Whom? — *Harold Baer, Jr.* (r) 1598-605

CONSTITUTIONAL AMENDMENTS

Amending the Constitution — *Erwin Chemerinsky* (r) 1561-77

CONSTITUTIONAL LAW

See *Criminal Procedure.*

CONSTITUTIONAL THEORY

See *Criminal Procedure, Statutory Interpretation.*

COOPERATIVE FEDERALISM

See *Federalism.*

CORPORATIONS

Future of Enterprise Organization, The — *Eric W. Orts* (r) 1947-74

Realigning Corporate Governance: Shareholder Activism by Labor Unions — *Stewart J. Schwab & Randall S. Thomas* (a) 1018-94

COURTS

See also *Judges.*

Picking Federal Judges: A Mysterious Alchemy — *Michael D. Schattman* (r) 1578-97

CRIMINAL INVESTIGATION

See *Self-Incrimination.*

CRIMINAL LAW

See also *Criminal Procedure, Race Discrimination.*

Ignorance of Law *Is* an Excuse — but Only for the Virtuous — *Dan M. Kahan* (e) 127-54

Kahan on Mistakes — *Daniel Yeager* (c) 2113-22

Police and Thieves — *Rosanna Cavallaro* (r) 1435-55
Reply: Is Ignorance of Fact an Excuse Only for the Virtuous? — *Dan M. Kahan* (c) 2123-28
The Anatomy of Disgust in Criminal Law — *Dan M. Kahan* (r) 1621-57

CRIMINAL PROCEDURE

See also *Criminal Law, Race Discrimination.*
Criminal Procedure, Justice, Ethics, and Zeal — *Darryl K. Brown* (c) 2146-55
Process, the Constitution, and Substantive Criminal Law — *Louis D. Bilionis* (a) 1269-334
"We the People" and Our Enduring Values — *Susan Bandes* (r) 1376-420

CRIMINAL RESPONSIBILITY

See *Criminal Law.*

CRITICAL LEGAL STUDIES

See *Legal Scholarship.*

DAMAGES

See *Torts.*

DEATH PENALTY

See *Punishment.*

DEBTOR AND CREDITOR

See *Commercial Law.*

DECEIT

See *Self-Incrimination.*

DISABLED PERSONS

See *Health.*

EQUAL PROTECTION

See also *Race Discrimination.*
Equal Protection, Class Legislation, and Colorblindness — *Melissa L. Saunders* (a) 245-337

ESTABLISHMENT CLAUSE

Reply: Did the Fourteenth Amendment Repeal the First? — *Jed Rubenfeld* (c) 2140-45
Response to Professor Rubenfeld, A — *Jonathan D. Hacker* (c) 2129-39

EVIDENCE

Outsider's View of Common Law Evidence, An — *Roger C. Park* (r) 1486-508

FEDERAL AND STATE COOPERATION

See *Federalism.*

FEDERALISM

Political Economy of Cooperative Federalism: Why State Autonomy Makes Sense and "Dual Sovereignty" Doesn't, The — *Roderick M. Hills, Jr.* (a) 813-944

FEDERAL PREEMPTION

See *Federalism.*

FORFEITURE

Toward a Constitutional Kleptocracy: Civil Forfeiture in America — *Stefan B. Herpel* (r) 1910-46

FOREIGN LAW

See *Justice, Administration of.*

GERRYMANDERING

See *Equal Protection.*

HABEAS CORPUS

Path to Habeas Corpus Narrows: Interpreting 28 U.S.C. § 2254(d)(1), The — *Sharad Sushil Khandelwal* (n) 434-59

HANDICAP DISCRIMINATION

See *Health.*

HEALTH

Evaluating Purely Reproductive Disorders Under the Americans with Disabilities Act — *Todd Lebowitz* (n) 724-53
Is HIV "Extraordinary"? — *Jordan B. Hansell* (n) 1095-117

HEALTH CARE INDUSTRY

Chicago Hope Meets the Chicago School — *Gail B. Agrawal* (r) 1793-824
How Many Libertarians Does it Take To Fix the Health Care System? — *Thomas L. Greaney* (r) 1825-51

HEALTH MAINTENANCE ORGANIZATIONS

See *Health Care Industry.*

HISTORY

See also *Political Science.*
Lessons from the Fall — *Andrea D. Lyon* (r) 1980-87

HOUSING DISCRIMINATION

See *Judges.*

IMPEACHMENTS

See *Constitution.*

INSTRUCTIONS TO JURIES

See *Statutory Interpretation.*

INTERNATIONAL COURTS AND TRIBUNALS

See *War Crimes.*

JUDGES

See also *Courts, History.*
Lawyers, Judges, and the Public Interest — *John M. Payne* (r) 1685-714

JUDICIAL ACTIVISM

See *Judges.*

JUDICIAL REVIEW OF ADMINISTRATIVE ACTS

Food Stamp Trafficking: Why Small Groceries Need Judicial Protection from the Department of Agriculture (And from Their Own Employees) — *Elliot Regenstein* (n) 2156-84

JURIES

See *Statutory Interpretation.*

JURISDICTION

Interjurisdictional Preclusion — *Howard M. Erichson* (a) 945-1017

JURISPRUDENCE

See *Statutory Interpretation.*

JUSTICE, ADMINISTRATION OF

Did Military Justice Fail or Prevail? — *Robinson O. Everett* (r) 1421-34
Retroactive Trials and Justice — *Stephan Landsman* (r) 1456-73

LABOR LAW

Continuing Relevance of Section 8(a)(2) to the Contemporary Workplace, The — *Michael C. Harper* (a) 2322-83
How the Wagner Act Came to Be: A Prospectus — *Theodore J. St. Antoine* (e) 2201-11

LABOR UNIONS

See *Corporations.*

LAND USE

See *Judges.*

LAW AND ECONOMICS

Origin, Development, and Regulation of Norms, The — *Richard H. McAdams* (a) 338-433

LAW AND FACT

See *Statutory Interpretation.*

LAW AND LITERATURE

See *Legal Language.*

LAW AND SCIENCE

Liberalism Stumbles in Tennessee — *Don Herzog* (r) 1898-909

LAW REVIEWS

Book Review Issue: An Owner's Guide, The — *Carl E. Schneider* (introduction) 1363-75

LAW TEACHING

Erotics of Torts, The — *Carol Sanger* (r) 1852-83

LEGAL DISCOURSE

See also *Legal Language, Legal Scholarship.*
Empty Circles of Liberal Justification, The — *Pierre Schlag* (a) 1-46

LEGAL EDUCATION

See *Law Reviews.*

LEGAL HISTORY

See also *Forfeiture, Law and Science.*
Holmes' Failure — *Louise Weinberg* (e) 691-723

LEGAL HUMOR

See *Legal Language.*

LEGAL LANGUAGE

Pomobabble: Postmodern Newspeak and Constitutional "Meaning" for the Uninitiated — *Dennis W. Arrow* (a) 461-690

LEGAL REALISM

See *Legal History.*

LEGAL SCHOLARSHIP

See also *Health Care Industry, Law Reviews, Legal History.*
Guerrillas in Our Midst: The Assault on Radicals in American Law — *Daria Roithmayr* (r) 1658-84

LEGISLATIVE HISTORY

See *Bankruptcy.*

LENDER LIABILITY

See *Commercial Law.*

LOANS

See *Commercial Law.*

MALPRACTICE

See *Torts.*

MASS TORTS

See *Torts.*

MEDICAL MALPRACTICE

See *Torts.*

MILITARY LAW

See *Justice, Administration of.*

MILITARY TRIBUNALS

See *Justice, Administration of.*

MISTAKE

See *Criminal Law.*

PEREMPTORY CHALLENGES/RACE

See *Punishment, Race Discrimination.*

PHILOSOPHY OF LAW

See *Legal Discourse.*

POLITICAL SCIENCE

Takeover: German Reunification Under a Magnifying Glass — *Mathias Reimann* (r) 1988-2000

POSTCONVICTION REMEDIES

See *Habeas Corpus.*

PRECLUSION RULES

See *Jurisdiction.*

PRODUCTS LIABILITY

See *Torts.*

PROSECUTORS

See *Race Discrimination.*

PROXIMATE CAUSE

See *Torts.*

PUBLIC CHOICE THEORY

Public Choice Revisited — *Daniel A. Farber & Philip P. Frickey* (r) 1715-45

Public Choice Theory and the Fragmented Web of the Contemporary Administrative State — *Jim Rossi* (r) 1746-77

PUNISHMENT

Color Line of Punishment, The — *Jerome H. Skolnick* (r) 1474-85

RACE DISCRIMINATION

See also *Equal Protection, Punishment.*

Race, Rights, and Remedies in Criminal Adjudication — *Pamela S. Karlan* (a) 2001-30

REPRODUCTIVE TECHNOLOGY

See *Health.*

RES JUDICATA

See *Jurisdiction.*

RETROACTIVE LAWS AND DECISIONS

See *Justice, Administration of.*

SECURED TRANSACTIONS

See *Commercial Law.*

SELF-INCRIMINATION

Tempered 'Yes' to the 'Exculpatory No,' A — *Scott D. Pomfret* (n) 754-82

SENTENCING

See *Health.*

SEXUAL HARASSMENT

See *Law Teaching.*

SHAREHOLDER VOTING RIGHTS

See *Corporations.*

SHAREHOLDERS

See *Corporations.*

SOCIETY AND LAW

See *Criminal Law.*

SOCIOLOGICAL JURISPRUDENCE

See *Law and Economics.*

SOCIOLOGY OF LAW

See *Law and Economics.*

STATE — FEDERAL COOPERATION

See *Federalism.*

STATES' RIGHTS

See *Federalism.*

STATUTORY INTERPRETATION

Plain Meaning, Practical Reason, and Culpability: Toward a Theory of Jury Interpretation of Criminal Statutes — *Darryl K. Brown* (a) 1199-268

Textualism, the Unknown Ideal? — *William N. Eskridge, Jr.* (r) 1509-60

STOCKHOLDER VOTING

See *Corporations.*

STOCKHOLDERS

See *Corporations.*

TOBACCO INDUSTRY

See *Torts.*

TORTS

Identifying and Valuing the Injury in Lost Chance Cases — *Todd S. Aagaard* (n) 1335-61

Outrageous Fortune and the Criminalization of Mass Torts — *Richard A. Nagareda* (a) 1121-98

TRIALS

See *Law and Science.*

UNIONS

See *Corporations.*

VALUATION

See *Torts.*

VERDICTS

See *Statutory Interpretation.*

WAGES

Engineering the Middle Classes: Class Line-Drawing in New Deal Hours Legislation — *Deborah C. Malamud* (a) 2212-321

WAR CRIMES

Rush to Closure: Lessons of the Tadić Judgment — *Jose E. Alvarez* (a) 2031-112

ZONING

See *Judges.*

ARTICLES

Amending the Constitution — *Erwin Chemerinsky* (book review) 1561-77

Arbitration: Time Limits and Continuing Violations — *Richard I. Bloch* 2384-98

Book Review Issue: An Owner's Guide, The — *Carl E. Schneider* (introduction) 1363-75

Character, Conscience, and Destiny — *G. Gordon Liddy* (book review) 1975-79

Chicago Hope Meets the Chicago School — *Gail B. Agrawal* (book review) 1793-824

Color Line of Punishment, The — *Jerome H. Skolnick* (book review) 1474-85

Continuing Relevance of Section 8(a)(2) to the Contemporary Workplace, The — *Michael C. Harper* 2322-83

Criminal Procedure, Justice, Ethics, and Zeal — *Darryl K. Brown* (correspondence) 2146-55

Did Military Justice Fail or Prevail? — *Robinson O. Everett* (book review) 1421-34

Empty Circles of Liberal Justification, The — *Pierre Schlag* 1-46

Engineering the Middle Classes: Class Line-Drawing in New Deal Hours Legislation — *Deborah C. Malamud* 2212-321

Equal Protection, Class Legislation, and Colorblindness — *Melissa L. Saunders* 245-337

Erotics of Torts, The — *Carol Sanger* (book review) 1852-83

Future of Enterprise Organization, The — *Eric W. Orts* (book review) 1947-74

Guerrillas in Our Midst: The Assault on Radicals in American Law — *Daria Roithmayr* (book review) 1658-84

Holmes' Failure — *Louise Weinberg* 691-723

How Many Libertarians Does it Take To Fix the Health Care System? — *Thomas L. Greaney* (book review) 1825-51

How Serious is the Threat of Impeachment? And to Whom? — *Harold Baer, Jr.* (book review) 1598-605

How the Wagner Act Came to Be: A Prospectus — *Theodore J. St. Antoine* 2201-11

Ignorance of Law *Is* an Excuse — but Only for the Virtuous — *Dan M. Kahan* 127-54

Interjurisdictional Preclusion — *Howard M. Erichson* 945-1017

Kahan on Mistakes — *Daniel Yeager* (correspondence) 2113-22

Lawyers, Judges, and the Public Interest — *John M. Payne* (book review) 1685-714

Lessons from the Fall — *Andrea D. Lyon* (book review) 1980-87

Liberalism Stumbles in Tennessee — *Don Herzog* (book review) 1898-909

Origin, Development, and Regulation of Norms, The — *Richard H. McAdams* 338-433

Outrageous Fortune and the Criminalization of Mass Torts — *Richard A. Nagareda* 1121-98

Outsider's View of Common Law Evidence, An — *Roger C. Park* (book review) 1486-508

Picking Federal Judges: A Mysterious Alchemy — *Michael D. Schattman* (book review) 1578-97

Plain Meaning, Practical Reason, and Culpability: Toward a Theory of Jury Interpretation of Criminal Statutes — *Darryl K. Brown* 1199-268

Police and Thieves — *Rosanna Cavallaro* (book review) 1435-55

Political Economy of the Bankruptcy Reform Act of 1978, The — *Eric A. Posner* 47-126

Political Economy of Cooperative Federalism: Why State Autonomy Makes Sense and "Dual Sovereignty" Doesn't, The — *Roderick M. Hills, Jr.* 813-944

Pomobabble: Postmodern Newspeak and Constitutional "Meaning" for the Uninitiated — *Dennis W. Arrow* 461-690

Process, the Constitution, and Substantive Criminal Law — *Louis D. Bilionis* 1269-334

Public Choice Revisited — *Daniel A. Farber & Philip P. Frickey* (book review) 1715-45

Public Choice Theory and the Fragmented Web of the Contemporary Administrative State — *Jim Rossi* (book review) 1746-77

Race, Rights, and Remedies in Criminal Adjudication — *Pamela S. Karlan* 2001-30

Realigning Corporate Governance: Shareholder Activism by Labor Unions — *Stewart J. Schwab & Randall S. Thomas* 1018-94

Reply: Did the Fourteenth Amendment Repeal the First? — *Jed Rubenfeld* (correspondence) 2140-45

Reply: Is Ignorance of Fact an Excuse Only for the Virtuous? — *Dan M. Kahan* (correspondence) 2123-28

Response to Professor Rubenfeld, A — *Jonathan D. Hacker* (correspondence) 2129-39

Retroactive Trials and Justice — *Stephan Landsman* (book review) 1456-73
Rush to Closure: Lessons of the Tadić Judgment — *Jose E. Alvarez* 2031-112
Strategy and Force in the Liquidation of Secured Debt — *Ronald J. Mann* 159-244
Takeover: German Reunification Under a Magnifying Glass — *Mathias Reimann* (book review) 1988-2000
Textualism, the Unknown Ideal? — *William N. Eskridge, Jr.* (book review) 1509-60
The Anatomy of Disgust in Criminal Law — *Dan M. Kahan* (book review) 1621-57
Toward a Constitutional Kleptocracy: Civil Forfeiture in America — *Stefan B. Herpel* (book review) 1910-46
"We the People" and Our Enduring Values — *Susan Bandes* (book review) 1376-420

NOTES

Evaluating Purely Reproductive Disorders Under the Americans with Disabilities Act — *Todd Lebowitz* 724-53

Food Stamp Trafficking: Why Small Groceries Need Judicial Protection from the Department of Agriculture (And from Their Own Employees) — *Elliot Regenstein* 2156-84

Identifying and Valuing the Injury in Lost Chance Cases — *Todd S. Aagaard* 1335-61

Is HIV "Extraordinary"? — *Jordan B. Hansell* 1095-117

Path to Habeas Corpus Narrows: Interpreting 28 U.S.C. § 2254(d)(1), The — *Sharad Sushil Khandelwal* 434-59

Question of Intent: Aiding and Abetting Law and the Rule of Accomplice Liability Under § 924(c), A — *Tyler B. Robinson* 783-810

Tempered 'Yes' to the 'Exculpatory No,' A — *Scott D. Pomfret* 754-82

AUTHORS

AGRAWAL, GAIL B. — Chicago Hope Meets the Chicago School (book review) 1793-824

ALVAREZ, JOSE E. — Rush to Closure: Lessons of the Tadić Judgment 2031-112

ARROW, DENNIS W. — Pomobabble: Postmodern Newspeak and Constitutional "Meaning" for the Uninitiated 461-690

BAER, JR., HAROLD — How Serious is the Threat of Impeachment? And to Whom? (book review) 1598-605

BANDES, SUSAN — "We the People" and Our Enduring Values (book review) 1376-420

BILIONIS, LOUIS D. — Process, the Constitution, and Substantive Criminal Law 1269-334

BLOCH, RICHARD I. — Arbitration: Time Limits and Continuing Violations 2384-98

BROWN, DARRYL K. — Criminal Procedure, Justice, Ethics, and Zeal (correspondence) 2146-55

BROWN, DARRYL K. — Plain Meaning, Practical Reason, and Culpability: Toward a Theory of Jury Interpretation of Criminal Statutes 1199-268

CAVALLARO, ROSANNA — Police and Thieves (book review) 1435-55

CHEMERINSKY, ERWIN — Amending the Constitution (book review) 1561-77

ERICHSON, HOWARD M. — Interjurisdictional Preclusion 945-1017

ESKRIDGE, JR., WILLIAM N. — Textualism, the Unknown Ideal? (book review) 1509-60

EVERETT, ROBINSON O. — Did Military Justice Fail or Prevail? (book review) 1421-34

FARBER, DANIEL A. & FRICKEY, PHILIP P. — Public Choice Revisited (book review) 1715-45

GREANEY, THOMAS L. — How Many Libertarians Does it Take To Fix the Health Care System? (book review) 1825-51

HACKER, JONATHAN D. — A Response to Professor Rubenfeld (correspondence) 2129-39

HARPER, MICHAEL C. — The Continuing Relevance of Section 8(a)(2) to the Contemporary Workplace 2322-83

HERPEL, STEFAN B. — Toward a Constitutional Kleptocracy: Civil Forfeiture in America (book review) 1910-46

HERZOG, DON — Liberalism Stumbles in Tennessee (book review) 1898-909

HILLS, JR., RODERICK M. — The Political Economy of Cooperative Federalism: Why State Autonomy Makes Sense and "Dual Sovereignty" Doesn't 813-944

KAHAN, DAN M. — Ignorance of Law *Is* an Excuse — but Only for the Virtuous 127-54

KAHAN, DAN M. — Reply: Is Ignorance of Fact an Excuse Only for the Virtuous? (correspondence) 2123-28

KAHAN, DAN M. — *The Anatomy of Disgust* in Criminal Law (book review) 1621-57

KARLAN, PAMELA S. — Race, Rights, and Remedies in Criminal Adjudication 2001-30

LANDSMAN, STEPHAN — Retroactive Trials and Justice (book review) 1456-73

LIDDY, G. GORDON — Character, Conscience, and Destiny (book review) 1975-79

LYON, ANDREA D. — Lessons from the Fall (book review) 1980-87

MALAMUD, DEBORAH C. — Engineering the Middle Classes: Class Line-Drawing in New Deal Hours Legislation 2212-321

MANN, RONALD J. — Strategy and Force in the Liquidation of Secured Debt 159-244

MCADAMS, RICHARD H. — The Origin, Development, and Regulation of Norms 338-433

NAGAREDA, RICHARD A. — Outrageous Fortune and the Criminalization of Mass Torts 1121-98

ORTS, ERIC W. — The Future of Enterprise Organization (book review) 1947-74

PARK, ROGER C. — An Outsider's View of Common Law Evidence (book review) 1486-508

PAYNE, JOHN M. — Lawyers, Judges, and the Public Interest (book review) 1685-714

POSNER, ERIC A. — The Political Economy of the Bankruptcy Reform Act of 1978 47-126

REIMANN, MATHIAS — Takeover: German Reunification Under a Magnifying Glass (book review) 1988-2000

ROITHMAYR, DARIA — Guerrillas in Our Midst: The Assault on Radicals in American Law (book review) 1658-84

ROSSI, JIM — Public Choice Theory and the Fragmented Web of the Contemporary Administrative State (book review) 1746-77

RUBENFELD, JED — Reply: Did the Fourteenth Amendment Repeal the First? (correspondence) 2140-45
SANGER, CAROL — The Erotics of Torts (book review) 1852-83
SAUNDERS, MELISSA L. — Equal Protection, Class Legislation, and Colorblindness 245-337
SCHATTMAN, MICHAEL D. — Picking Federal Judges: A Mysterious Alchemy (book review) 1578-97
SCHLAG, PIERRE — The Empty Circles of Liberal Justification 1-46
SCHNEIDER, CARL E. — The Book Review Issue: An Owner's Guide (introduction) 1363-75
SCHWAB, STEWART J. & THOMAS, RANDALL S. — Realigning Corporate Governance: Shareholder Activism by Labor Unions 1018-94
SKOLNICK, JEROME H. — The Color Line of Punishment (book review) 1474-85
ST. ANTOINE, THEODORE J. — How the Wagner Act Came to Be: A Prospectus 2201-11
WEINBERG, LOUISE — Holmes' Failure 691-723
YEAGER, DANIEL — Kahan on Mistakes (correspondence) 2113-22